

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH D'AMICO, an individual; FORT
DISCOVERY CORP., a Washington
corporation, and SECURITY SERVICES
NORTHWEST, INC., a Washington
corporation.

Plaintiffs,

vs.

JEFFERSON COUNTY, a Washington
county; DAVID STANKO; ROBERT GEBO;
KATHLEEN KLER; DAVID SULLIVAN;
KATE DEAN; and GREG BROTHERTON,

Defendants.

No. 3:20-cv-05253

JOINT MOTION FOR MODIFICATION
OF CASE SCHEDULE AND TRIAL
CONTINUANCE

Pursuant to CR 16 and 40 the parties jointly and request that the Court continue all pending matters in the case schedule 90 days and continue the trial to November 2021. This joint motion is based on a significant medical event experienced by Plaintiffs' lead counsel in this case.

CARSON NOEL
PLLC

JOINT MOTION FOR MODIFICATION OF
CASE SCHEDULE AND TRIAL
CONTINUANCE - 1

20 Sixth Ave NE, Issaquah, WA 98027
P. 425.837.4717 | F. 425.837.5396

1 Greg Overstreet is Fort Discovery Corporation (“Fort Discovery”) and Security
2 Services North West, Inc. (“SSNW”) in-house counsel. Mr. Overstreet is the Plaintiffs’
3 counsel that is most familiar with the facts in the case, and in some regards the individual
4 the person most knowledgeable regarding certain key facts, the status of plaintiffs’
5 discovery, and has been taking the lead for plaintiffs in discovery, depositions, and
6 responding to summary judgment motions.

7 Mr. Overstreet recently had emergency surgery during which it was discovered that
8 he has colon cancer. Mr. Overstreet’s is currently scheduled to start chemotherapy treatment
9 the week of March 8. There will be six sessions that last two weeks each. It is unclear
10 whether he will be able to assist at all during that time and if he can assist, how much he will
11 be able to assist. Plaintiffs need the additional time to retain additional help to work on the
12 case and to get Mr. Overstreet’s co-counsel in a position where they will be able to
13 prosecute the claims.

14 In light of the above, Defendants and Plaintiffs have agreed to continue the current
15 case schedule deadlines 90 days, assuming that is agreeable to the Court. Defendants trial
16 counsel’s current trial schedule makes it so that he is not available to try the case until
17 November. As a result, the parties have agreed to continue the trial date to November, again
18 assuming that is acceptable to the Court.
19
20
21
22
23
24
25
26

1 DATED this 26th day of February, 2021.

2
3 CARSON NOEL, PLLC
4 *Attorneys for Plaintiffs*

KEATING, BUCKLIN & McCORMACK,
INC., P.S.
Attorneys for Defendants

5
6 By s/ Wright A. Noel
7 Wright A. Noel, WSBA #25264
8 By s/ Stacy Goodman
9 Stacy Goodman, WSBA # 39287
10 20 Sixth Avenue NE,
11 Issaquah, WA 98027
12 Phone: 425-837-4717 ext. 106
13 Fax: 425-837-5396
14 E-mail: wright@carsonnoel.com
15 E-mail: stacy@carsonnoel.com

By s/ Andrew Cooley
Andrew Cooley, WSBA #15189
801 Second Avenue, Suite 1210
Seattle, WA 98104
Phone: (206) 623-8861
Fax: (206) 223-9423
Email: acooley@kbmlawyers.com

16
17 JEFFERSON COUNTY PROSECUTING
18 ATTORNEY'S OFFICE
19 *Attorneys for Defendants*

20
21 By s/ Philip C. Hunsucker
22 Philip C. Hunsucker, Chief Civil Deputy
23 Prosecuting Attorney, WSBA #48692
24 PO Box 1220
25 Port Townsend, WA 98368
26 Phone: (360) 385-9219
Fax: (206) 223-9423
Email: phunsucker@co.jefferson.wa.us

CARSON | NOEL
PLLC